

*POSTED December 12, 2008*

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA**

**PUBLIC NOTICE**

**REGARDING INTERIM RULE 1007-I AND REVISED BANKRUPTCY FORM 22A**

The National Guard and Reservists Debt Relief Act of 2008, Pub. L. No. 110-438, enacted on October 20, 2008 (the “Act”), amends § 707(b)(2)(D) of the Bankruptcy Code to provide temporary exclusion from the bankruptcy means test for certain members of the National Guard and reserve components of the Armed Forces. The Judicial Conference of the United States has approved Interim Bankruptcy Rule 1007-I which amends Bankruptcy Rule 1007 to take account of this legislation. Consistent with the Act, **Interim Bankruptcy Rule 1007-I will apply to cases commenced in the three-year period beginning December 19, 2008.** The exclusion applies while the qualifying debtor is on active duty or engaged in homeland defense activity and continues for the 540-day period after the debtor is released from active duty or is no longer engaged in homeland defense activity.

The Judicial Conference has approved amended Official Form 22A (Statement of Current Monthly Income and Means Test Calculation) which includes a new Part I (1C) for qualifying debtors to invoke the temporary exclusion from the means test. Qualifying debtors should indicate the presumption is temporarily inapplicable where specified on the form, complete Part I (1C) and complete the verification at Part VIII. **The amended form will be effective on December 19, 2008**, coinciding with the effective date of the Act.

If the exclusion period ends while the chapter 7 case is pending and during the time a motion to dismiss under § 707(b)(2) may be filed, the debtor must, no later than 14 days after the temporary exclusion expires, complete (and file with the Clerk) the remaining parts of Form 22A.

After its effective date Official Form 22A will be available on the Court’s website at [http://www.uscourts.gov/bkforms/bankruptcy\\_forms.html](http://www.uscourts.gov/bkforms/bankruptcy_forms.html). Information about Interim Rule 1007-I and Official Form 22A is currently available at <http://www.uscourts.gov/bankform/index.html>